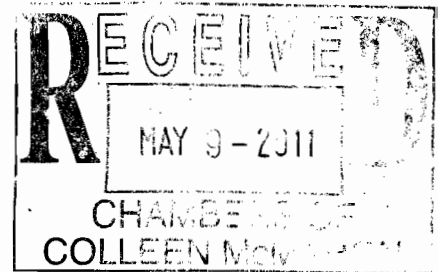


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May 9, 2011

The Honorable Colleen McMahon
United States District Court for the
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Funnekotter, et al. V. Republic of Zimbabwe
Case No.: 1:09-cv-8168

5/10/11
Ask the Magistrate
This matter is referred
to him/her.
Colleen McMahon

Dear Judge McMahon:

On May 5, 2011, my office received an electronic notice by the Court of an order transferring the above-referenced case to Magistrate Judge Theodore H. Katz by Your Honor. My associate, Sharon Rose, called Your Honor's Chambers on May 6, 2011 and spoke with a member of your staff. Although we mistakenly believed that the attorney for the Plaintiff, Wiley Rein LLP, had filed a motion that complained about a "discovery dispute," Ms. Rose was informed that Your Honor had in fact received a letter, not a motion.

I am now memorializing the fact that this communication that the Court received by Wiley Rein LLP was in fact ex parte. My office to date has not received by mail, facsimile or email, although counsel for the Plaintiff has all of the aforementioned information to contact me, the letter that was sent to Your Honor regarding the discovery dispute.

I am bringing this issue to Your Honor's attention for your consideration as to what action, if any, should be taken against Wiley Rein LLP.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard A. Roberts".

Richard A. Roberts

cc: Todd Bromberg, Wiley Rein LLP

